

HOUSE BILL 186
By Brooks

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 8, Part 1, relative to motor vehicle safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 1, is amended by adding the following language as a new, appropriately designated section:

§55-8-191.

(a) As used in this section, unless the context otherwise requires:

(1) "Mobile telephone" means a cellular, analog, wireless or digital telephone; and

(2) "Use a mobile telephone" means to utilize such a device in dialing, answering, talking, or listening.

(b) While a motor vehicle is in motion on any public highway, street or roadway, the operator of such vehicle may not use a mobile telephone unless the operator maintains both hands on the vehicle's steering device.

(c) Subsection (b) does not apply to a person who is using a mobile telephone to contact 911, a law enforcement agency, an emergency response entity or other emergency assistance.

(d) Subsection (b) does not prohibit usage of a mobile telephone equipped with a hands-free device allowing the operator to maintain both hands on the vehicle's steering device while using the mobile telephone, provided that the operator actually maintains both hands on the vehicle's steering device while using such mobile telephone.

(e) The provisions of subsection (b) do not apply to law enforcement officers, firefighters or other emergency response personnel when on duty and acting in their official capacity.

(f) A violation of subsection (b) is a Class C misdemeanor, subject only to imposition of a fine, not to exceed twenty-five dollars (\$25.00), and court costs, not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.